

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

DAVID DAY, <i>et al.</i> ,	:	Case No. 1:90-cv-67
	:	
Plaintiffs,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
NLO, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER**

This civil action is before the Court on Class Counsel’s Motion for Approval of Proposed Pandemic Protocol for the Fernald Workers Medical Monitoring Program (the “Motion”). (Doc. 752). Upon careful review, the Court concludes that the Motion should be granted in its entirety.

Accordingly:

1. The Motion (Doc. 752) is hereby **GRANTED**;
2. The Court **APPROVES** the pandemic protocol set forth in the Motion (the “Pandemic Protocol”) (Doc. 752 at 6–8) in its entirety;
3. The Court **DIRECTS** the Fernald Workers Medical Monitoring Program (“FWMMP”) to carry out the Pandemic Protocol for the duration of the COVID-19 pandemic;
4. The Court **DIRECTS** the Trustee to take all necessary steps to cover the cost of the Pandemic Protocol;
5. Within the constraints of the COVID-19 pandemic, the Pandemic Protocol, to the extent a participant avails himself or herself of it and it is completed by the FWMMP staff, **SHALL** satisfy the Class Action Settlement Agreement’s requirement that class members be provided an “annual follow-up examination” by the FWMMP.

**IT IS SO ORDERED.**

Date: 10/16/2020

*s/Timothy S. Black*  
Timothy S. Black  
United States District Judge